STATE OF MISSOURI

DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION

MISSOURI STATE OPERATING PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

Permit No.	MO-0112771
Owner:	Bridgeton Landfill LLC
Address:	13570 St. Charles Rock Road, Bridgeton MO 63044
Continuing Authority:	Same as above
Address:	Same as above
Facility Name:	Bridgeton Landfill
Facility Address:	13570 St. Charles Rock Road, Bridgton, MO 63044
Legal Description:	See Page 2.
UTM Coordinates:	See Page 2.
Receiving Stream:	Tributary to Fee Fee Creek (U)
First Classified Stream and ID:	Fee Fee Creek (Old) (P) (01705)
USGS Basin & Sub-watershed No.:	(10300200 – 180001)

is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

FACILITY DESCRIPTION

See Page 2.

This permit authorizes only wastewater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

April 22, 2011
Effective Date

June 16, 2014
Revised Date

Sara Parker Pauley
Sara Parker Pauley, Director, Department of Natural Resources

April 21, 2016
Expiration Date

John Madras
John Madras, Director, Water Protection Program

Outfall #001 – Relocated as Outfall #007; see below.
Legal Description: Land Grant #00131, St. Louis County.
UTM Coordinates: X = 722084, Y = 4294493
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: NA

Outfall #003 – Sanitary & Demolition Landfill/ Concrete Plant/ Transfer Station – SIC #4953
Stormwater runoff/ retention basin.
Legal Description: Land Grant #00131; St. Louis County.
UTM Coordinates: X = 721556, Y = 4293546
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 219,000 GPD

Outfall #004 – Sanitary and Demolition Landfill/ Concrete Plant – SIC #4953
Stormwater runoff/ retention basin.
Legal Description: Land Grant #00131; St. Louis County.
UTM Coordinates: X = 722649, Y = 4293938
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 139,000 GPD

Outfall #005 – Sanitary and Demolition Landfill/ Concrete Plant – SIC #4953
Stormwater runoff.
Legal Description: Land Grant #00131; St. Louis County.
UTM Coordinates: X = 722101, Y = 4293495
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 46,000 GPD

Outfall #006 – Sanitary and Demolition Landfill/ Concrete Plant – SIC #4953
Stormwater runoff.
Legal Description: Land Grant #00131; St. Louis County.
UTM Coordinates: X = 722300, Y = 4294187
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 3,500 GPD

Outfall #007 – Container storage / transfer station – SIC #4953.
Stormwater run-off.
Legal Description: Land Grant #00131, St. Louis County.
UTM Coordinates: X = 722195, Y = 4294530
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 42,000 GPD

Leachate cannot be discharged. Stormwater that has come into contact with leachate is considered leachate and cannot be discharged. Leachate and stormwater that has come into contact with leachate must be managed in accordance with the provisions contained in the Missouri Solid Waste Management Laws, regulations and Sanitary Landfill Operating Permit; and Hazardous Waste Program (if applicable).

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS – ALL OUTFALLS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect the permit is either reissued, modified, or terminated. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Outfalls #003, 004, 005, 006, & 007.						
Rainfall	Inches	*		*	Daily	24 hr. total
Flow	MGD	*		*	once/quarter**	24 hr. total
pH – standard units	SU	***		***	once/quarter**	grab****
Biochemical Oxygen Demand	mg/L	45		30	once/quarter**	grab****
Chemical Oxygen Demand	mg/L	120		90	once/quarter**	grab****
Total Suspended Solids	mg/L	80		60	once/quarter**	grab****
Settleable Solids	mL/L	1.5		1.0	once/quarter**	grab****
Oil & Grease	mg/L	15		10	once/quarter**	grab****
Ammonia as N (April 1 – September 30) (October 1 – March 31)	 mg/L mg/L	 3.7 7.5		 1.4 2.8	 once/quarter** once/quarter**	 grab**** grab****
Chlorides plus Sulfates	mg/L	1000		*	once/quarter**	grab****
Total Hardness (as CaCO3)	mg/L	*		*	once/quarter**	grab****
Aluminum, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Antimony, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Arsenic, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Beryllium, Total Recoverable,	µg/L	*		*	once/quarter**	grab****
Cadmium, Total Recoverable,	µg/L	*		*	once/quarter**	grab****
Chromium (III), Total Recoverable	µg/L	*		*	once/quarter**	grab****
Chromium (VI), Dissolved	µg/L	*		*	once/quarter**	grab****
Cobalt, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Copper, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Iron, Total Recoverable	µg/L	1639		817	once/quarter**	grab****
Lead, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Mercury, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Nickel, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Selenium, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Silver, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Thallium, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Zinc, Total Recoverable	µg/L	*		*	once/quarter**	grab****
Benzene	µg/L	*		*	once/quarter**	grab****
Ethylbenzene	µg/L	*		*	once/quarter**	grab****

MONITORING REPORTS SHALL BE SUBMITTED **QUARTERLY;** THE FIRST REPORT IS DUE July 28, 2011. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.

B. STANDARD CONDITIONS

IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED Part I STANDARD CONDITIONS DATED November 1, 2013, AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

* Monitoring requirement only.

** See table below for quarterly sampling.

Sample discharge at least once for the months of:	Report is due:
January, February, March (1st Quarter)	April 28
April, May, June (2nd Quarter)	July 28
July, August, September (3rd Quarter)	October 28
October, November, December (4th Quarter)	January 28

*** pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.5-9.0 pH units.

**** Grab samples shall be collected during at least one runoff event, within each Monitoring Measurement Frequency period when there is runoff at the outfall. The sample shall be collected no later than one hour after runoff begins. If no discharge occurs during the entire measurement frequency period, then report as "No Discharge".

D. SPECIAL CONDITIONS

1. This permit may be reopened and modified, or alternatively revoked and reissued, to:
   (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
      (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
      (2) controls any pollutant not limited in the permit.
   (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
   (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

   The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.

2. All outfalls must be clearly marked in the field.

3. Changes in Discharges of Toxic Substances

   The permittee shall notify the Director as soon as it knows or has reason to believe:
   (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"
      (1) One hundred micrograms per liter (100 µg/L);
      (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
      (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
      (4) The level established in Part A of the permit by the Director.
   (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.

4. Report as no-discharge when a discharge does not occur during the report period.

5. Water Quality Standards
   (a) Discharges to waters of the state shall not cause a violation of water quality standards rule under 10 CSR 20-7.031, including both specific and general criteria.
   (b) General Criteria. The following general water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:
      (1) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
      (2) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

(3) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
(4) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
(5) There shall be no significant human health hazard from incidental contact with the water;
(6) There shall be no acute toxicity to livestock or wildlife watering;
(7) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
(8) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

7. The permittee has developed a Storm Water Pollution Prevention Plan (SWPPP) in accordance with EPA recommended procedures contained in EPA 833-B-09-002, "Developing Your Stormwater Pollution Prevention Plan, A Guide for Industrial Operators." This SWPPP shall be kept on-site and implemented in order to make use of Best Management Practices as prescribed in the SWPPP. The SWPPP must be reviewed and updated, if needed, every five (5) years or as site conditions change.

8. Permittee shall adhere to the following minimum Best Management Practices:

(a) Prevent the spillage or loss of fluids, oil, grease, fuel, etc. from vehicle maintenance, equipment cleaning, or warehouse activities and thereby prevent the contamination of storm water from these substances.
(b) Provide collection facilities and arrange for proper disposal of waste products including but not limited to petroleum waste products, and solvents.
(c) Store all paint, solvents, petroleum products and petroleum waste products (except fuels), and storage containers (such as drums, cans, or cartons) so that these materials are not exposed to storm water or provide other prescribed BMP's such as plastic lids and/or portable spill pans to prevent the commingling of storm water with container contents. Commingled water may not be discharged under this permit. Provide spill prevention control, and/or management sufficient to prevent any spills of these pollutants from entering waters of the state. Any containment system used to implement this requirement shall be constructed of materials compatible with the substances contained and shall also prevent the contamination of groundwater.
(d) Provide good housekeeping practices on the site to keep trash from entry into waters of the state.
(e) Provide sediment and erosion control sufficient to prevent or control sediment loss off of the property. This could include the use of straw bales, silt fences, or sediment basins, if needed, to comply with effluent limits.

9. The purpose of the SWPPP and the BMPs listed herein is the prevention of pollution of waters of the state. A deficiency of a BMP means it was not effective in preventing pollution [10 CSR 20-2.010(56)] of waters of the state, and corrective actions means the facility took steps to eliminate the deficiency.

10. All fueling facilities present on the site shall adhere to applicable federal and state regulations concerning underground storage, above ground storage, and dispensers, including spill prevention, control and counter measures.

11. Before releasing water that has accumulated in secondary containment for the leachate collection tanks, it must be areas it must be examined for the presence of a sheen. If a sheen is present the water may not be released and must be hauled to a treatment facility. In the event of a leachate release into the secondary containment, the accumulated stormwater and leachate must be hauled to a treatment facility, and no more water may be discharged from secondary containment until approval is provided by the department. Approval will be granted after the cause of the release is repaired and the secondary containment is cleaned to the satisfaction of the department.

Missouri Department of Natural Resources
FACT SHEET
FOR THE PURPOSE OF MODIFICATION
OF
MO-0112771
BRIDGETON LANDFILL

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollution Discharge Elimination System (NPDES) permit program. This program regulates the discharge of pollutants from point sources into the waters of the United States, and the release of storm water from certain point sources. All such discharges are unlawful without a permit (Section 301 of the "Clean Water Act"). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. Missouri State Operating Permits (MSOPs) are issued by the Director of the Missouri Department of Natural Resources (Department) under an approved program, operating in accordance with federal and state laws (Federal "Clean Water Act" and "Missouri Clean Water Law" Section 644 as amended). MSOPs are issued for a period of five (5) years unless otherwise specified.

As per [40 CFR Part 124.8(a)] and [10 CSR 20-6.020(1)2.] a Factsheet shall be prepared to give pertinent information regarding the applicable regulations, rationale for the development of effluent limitations and conditions, and the public participation process for the Missouri State Operating Permit (operating permit) listed below.

A Factsheet is not an enforceable part of an operating permit.

This Factsheet is for an Industrial Facility.

Part I – Facility Information

Facility Type: Industrial, Landfill
Facility SIC Code(s): #4953

Facility Description: Stormwater runoff from a closed sanitary and demolition landfill, concrete plant and transfer station.

Seven outfalls are associated with this facility. The description and location of those outfalls can be found in the original factsheet below.

Part II – Modification Rationale

This operating permit is hereby modified to reflect a change in the physical location of Outfall #003. This change now incorporates additional stormwater and leachate control measures by utilizing a retention basin to the southwest of the landfill for collection of runoff. Also, the locational information for each outfall was updated to better reflect the physical discharge points.

No other changes were made at this time. Please see the original factsheet below for explanation of all other permit conditions not addressed in this modification rationale.

Part III – Administrative Requirements

On the basis of preliminary staff review and the application of applicable standards and regulations, the Department, as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions contained herein and within the operating permit.

PUBLIC NOTICE:
The Department shall give public notice that a draft permit has been prepared and its issuance is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest in and water quality concerns related to a draft permit. No public notice is required when a request for a permit modification or termination is denied; however, the requester and permittee must be notified of the denial in writing.

The Department must issue public notice of a pending operating permit or of a new or reissued statewide general permit. The public comment period is the length of time not less than 30 days following the date of the public notice which interested persons may submit written comments about the proposed permit.

For persons wanting to submit comments regarding this proposed operating permit, then please refer to the Public Notice page located at the front of this draft operating permit. The Public Notice page gives direction on how and where to submit appropriate comments.

☒ - The Public Notice period for this operating permit began on May 2, 2014 and ended on June 2, 2014. No comments were received during the Public Notice period.

Date of Statement of Basis: March 24, 2014

Submitted by

Logan Cole, Environmental Specialist
Industrial Permit Unit
Operating Permits Section
Water Protection Program
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Missouri Department of Natural Resources
FACT SHEET
FOR THE PURPOSE OF RENEWAL
OF
MO-0112771
BRIDGETON LANDFILL

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollution Discharge Elimination System (NPDES) permit program. This program regulates the discharge of pollutants from point sources into the waters of the United States, and the release of storm water from certain point sources. All such discharges are unlawful without a permit (Section 301 of the "Clean Water Act"). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. Missouri State Operating Permits (MSOPs) are issued by the Director of the Missouri Department of Natural Resources (department) under an approved program, operating in accordance with federal and state laws (Federal "Clean Water Act" and "Missouri Clean Water Law" Section 644 as amended). MSOPs are issued for a period of five (5) years unless otherwise specified.

As per [40 CFR Part 124.8(a)] and [10 CSR 20-6.020(1)2.] a Factsheet shall be prepared to give pertinent information regarding the applicable regulations, rationale for the development of effluent limitations and conditions, and the public participation process for the Missouri State Operating Permit (operating permit) listed below.

A Factsheet is not an enforceable part of an operating permit.

Part A – Applicability & Facility Description

Landfills are to obtain a MSOP in accordance with the MCWL, as documented above, along with it's implementing regulations 10 CSR 20-6.010(1)(A); 10 CSR 20-6.010(5)(A); and 10 CSR 20-6.200(1)(A). Storm water runoff from landfills are considered industrial activities in accordance with 10 CSR 20-6.200(2)(B)3.B. Closed landfills may also be required to maintain a MSOP in accordance with 10 CSR 20.600(1)(B)10.

Facility Description: Stormwater runoff from a closed sanitary and demolition landfill, concrete plant and transfer station.

Part B – Outfall Information & Descriptions

OUTFALL(S) TABLE:

OUTFALL	DESIGN FLOW (CFS)	TREATMENT LEVEL	EFFLUENT TYPE	DISTANCE TO CLASSIFIED SEGMENT (MI)
001	Inactive	N/A	N/A	N/A
002	Removed	N/A	N/A	N/A
003	0.3395	Sedimentation	Stormwater	0.6
004	0.2155	Sedimentation	Stormwater	1.6
005	0.0713	Sedimentation	Stormwater	0.7
006	0.0054	Sedimentation	Stormwater	1.4
007	0.0651	Sedimentation	Stormwater	1.0

Outfall #001 – Inactive. Sampling point moved to Outfall #007
Legal Description: Land Grant #00131, St. Louis County.
UTM Coordinates: X = 722084, Y = 4294493

Outfall #003 – Sanitary & Demolition Landfill/ Concrete Plant/ Transfer Station – SIC #4953
Stormwater runoff/ retention basin.
Legal Description: Land Grant #00131; St. Louis County.
UTM Coordinates: X = 721772, Y = 4293673
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 0.219 MGD

Outfall #004 – Sanitary and Demolition Landfill/ Concrete Plant – SIC #4953
Stormwater runoff/ retention basin.
Legal Description: Land Grant #01934; St. Louis County.
UTM Coordinates: X = 721196, Y = 4294471
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 0.139 MGD

Outfall #005 – Sanitary and Demolition Landfill/ Concrete Plant – SIC #4953
Stormwater runoff.
Legal Description: Land Grant #00729; St. Louis County.
UTM Coordinates: X = 721216, Y = 4293765
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 0.046 MGD

Outfall #006 – Sanitary and Demolition Landfill/ Concrete Plant – SIC #4953
Stormwater runoff.
Legal Description: Land Grant #00047; St. Louis County.
UTM Coordinates: X = 721668, Y = 4294963
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 3,500 GPD

Outfall #007 – Landfill Demolition/ transfer station – SIC #4953.
Stormwater runoff.
Legal Description: Land Grant #00131, St. Louis County.
UTM Coordinates: X = 722084, Y = 4294493
Receiving stream: Tributary to Fee Fee Creek
First classified receiving stream: Fee Fee Creek (old) (P) (01705)
USGS Basin and Sub-watershed No: (10300200 - 180001)
Design flow: 0.042 MGD

Receiving Water Body's Water Quality & Facility Performance History: Permit violations too numerous to list including many failures to report. A stream survey was not located.

Comments:
This is landfill is capped and no longer receives solid waste. There is an active transfer station, an open container storage area, an asphalt plant (inactive), and a concrete bactch plant (also inactive) located on the grounds.

Part II – Operator Certification Requirements

As per [10 CSR 20-6.010(8) Terms and Conditions of a Permit], permittees shall operate and maintain facilities to comply with the Missouri Clean Water Law and applicable permit conditions and regulations. Operators or supervisors of operations at regulated wastewater treatment facilities shall be certified in accordance with [10 CSR 20-9.020(2)] and any other applicable state law or regulation. As per [10 CSR 20-9.010(2)(A)], requirements for operation by certified personnel shall apply to all wastewater treatment systems, if applicable, as listed below:

Check boxes below that are applicable to the facility;

- ☐ Owned or operated by or for:
  - ☐ Municipalities ☐
  - ☐ Public Sewer District: ☐
  - ☐ County ☐
  - ☐ Public Water Supply Districts: ☐
  - ☐ Private sewer company regulated by the Public Service Commission: ☐
  - ☐ State or Federal agencies: ☐

Each of the above entities are only applicable if they have a Population Equivalent greater than two hundred (200) and/or fifty (50) or more service connections.

Not Applicable ☒; This facility is not required to have a certified operator.

Part III – Receiving Stream Information

APPLICABLE DESIGNATIONS OF WATERS OF THE STATE:
As per Missouri's Effluent Regulations [10 CSR 20-7.015], the waters of the state are divided into the below listed seven (7) categories. Each category lists effluent limitations for specific parameters, which are presented in each outfall's Effluent Limitation Table and further discussed in the Derivation & Discussion of Limits section.

Missouri or Mississippi River [10 CSR 20-7.015(2)]: ☐
Lake or Reservoir [10 CSR 20-7.015(3)]: ☐
Losing [10 CSR 20-7.015(4)]: ☐
Metropolitan No-Discharge [10 CSR 20-7.015(5)]: ☐
Special Stream [10 CSR 20-7.015(6)]: ☐
Subsurface Water [10 CSR 20-7.015(7)]: ☐
All Other Waters [10 CSR 20-7.015(8)]: ☒

10 CSR 20-7.031 Missouri Water Quality Standards, the department defines the Clean Water Commission water quality objectives in terms of "water uses to be maintained and the criteria to protect those uses." The receiving stream and/or 1st classified receiving stream's beneficial water uses to be maintained are located in the Receiving Stream Table located below in accordance with [10 CSR 20-7.031(3)].

RECEIVING STREAM(S) TABLE (ALL OUTFALLS):

WATERBODY NAME	CLASS	WBID	DESIGNATED USES*	8-DIGIT HUC	EDU**
Tributary to Fee Fee Creek	U	N/A	General criteria	10300200	Ozark/Moreau/ Loutre
Fee Fee Creek (old)	P	01705	LWW, AQL,WBC-B***		

* - Irrigation (IRR), Livestock & Wildlife Watering (LWW), Protection of Warm Water Aquatic Life and Human Health-Fish Consumption (AQL), Cool Water Fishery(CLF), Cold Water Fishery (CDF), Whole Body Contact Recreation (WBC), Secondary Contact Recreation (SCR), Drinking Water Supply (DWS), Industrial (IND), Groundwater (GRW).
** - Ecological Drainage Unitpo
*** - UAA has not been conducted.

RECEIVING STREAM(S) LOW-FLOW VALUES TABLE:

RECEIVING STREAM (U, C, P)	LOW-FLOW VALUES (CFS)		
	1Q10	7Q10	30Q10
Tributary to Fee Fee Creek (old) (P)	0	0	0

Mixing Zone: Not Allowed [10 CSR 20-7.031(4)(A)4.B.(I)(a)].
Zone of Initial Dilution: Not Allowed [10 CSR 20-7.031(4)(A)4.B.(I)(b)].

RECEIVING STREAM MONITORING REQUIREMENTS:

No receiving water monitoring requirements recommended at this time.

Part IV – Rationale and Derivation of Effluent Limitations & Permit Conditions

ALTERNATIVE EVALUATIONS FOR NEW FACILITIES:
As per [10 CSR 20-7.015(4)(A)], discharges to losing streams shall be permitted only after other alternatives including land application, discharges to a gaining stream and connection to a regional wastewater treatment facility have been evaluated and determined to be unacceptable for environmental and/or economic reasons.

Not Applicable ☒;
The facility does not discharge to a Losing Stream as defined by [10 CSR 20-2.010(36)] & [10 CSR 20-7.031(1)(N)], or is an existing facility.

ANTI-BACKSLIDING:
A provision in the Federal Regulations [CWA §303(d)(4); CWA §402(c); 40 CFR Part 122.44(I)] that requires a reissued permit to be as stringent as the previous permit with some exceptions.

☒ - Limitations in this operating permit for the reissuance of this permit conform to the anti-backsliding provisions of Section 402(o) of the Clean Water Act, and 40 CFR Part 122.44.

ANTIDEGRADATION:
In accordance with Missouri's Water Quality Standard [10 CSR 20-7.031(2)], the department is to document by means of Antidegradation Review that the use of a water body's available assimilative capacity is justified. Degradation is justified by documenting the socio-economic importance of a discharging activity after determining the necessity of the discharge.

☒ - Renewal no degradation proposed and no further review necessary.

AREA-WIDE WASTE TREATMENT MANAGEMENT & CONTINUING AUTHORITY:
As per [10 CSR 20-6.010(3)(B)], …An applicant may utilize a lower preference continuing authority by submitting, as part of the application, a statement waiving preferential status from each existing higher preference authority, providing the waiver does not conflict with any area-wide management plan approved under section 208 of the Federal Clean Water Act or any other regional sewage service and treatment plan approved for higher preference authority by the department.

BIO-SOLIDS, SLUDGE, & SEWAGE SLUDGE:
Bio-solids are solid materials resulting from wastewater treatment that meet federal and state criteria for beneficial uses (i.e. fertilizer). Sludge is any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effect. Sewage sludge is solids, semi-solids, or liquid residue generated during the treatment of domestic sewage in a treatment works; including but not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works.

Not Applicable ☒ - This condition is not applicable to the permittee for this specific facility.

COMPLIANCE AND ENFORCEMENT:
Enforcement is the action taken by the Water Protection Program (WPP) to bring an entity into compliance with the Missouri Clean Water Law, its implementing regulations, and/or any terms and conditions of an operating permit. The primary purpose of the enforcement activity in the WPP is to resolve violations and return the entity to compliance.

Not Applicable ☒ - The permittee/facility is not currently under Water Protection Program enforcement action.

PRETREATMENT PROGRAM:
The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a Publicly Owned Treatment Works [40 CFR Part 403.3(q)].

Pretreatment programs are required at any POTW (or combination of POTW operated by the same authority) and/or municipality with a total design flow greater than 5.0 MGD and receiving industrial wastes that interfere with or pass through the treatment works or are otherwise subject to the pretreatment standards. Pretreatment programs can also be required at POTWs/municipals with a design flow less than 5.0 MGD if needed to prevent interference with operations or pass through.

Several special conditions pertaining to the permittee's pretreatment program may be included in the permit, and are as follows:
- ☐ Implementation and enforcement of the program,
- ☐ Annual pretreatment report submittal,
- ☐ Submittal of list of industrial users,
- ☐ Technical evaluation of need to establish local limitations, and
- ☐ Submittal of the results of the evaluation

Not Applicable ☒ - The permittee, at this time, is not required to have a Pretreatment Program or does not have an approved pretreatment program.

REASONABLE POTENTIAL ANALYSIS (RPA):
Federal regulation [40 CFR Part 122.44(d)(1)(i)] requires effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause or contribute to an in-stream excursion above narrative or numeric water quality standard.

In accordance with [40 CFR Part 122.44(d)(iii)] if the permit writer determines that any give pollutant has the reasonable potential to cause, or contribute to an in-stream excursion above the WQS, the permit must contain effluent limits for that pollutant.

Applicable ☒; A RPA was conducted on appropriate parameters. Please see **APPENDIX A – RPA RESULTS.**

REMOVAL EFFICIENCY:
Removal efficiency is a method by which the Federal Regulations define Secondary Treatment and Equivalent to Secondary Treatment, which applies to Biochemical Oxygen Demand 5-day (BOD_5) and Total Suspended Solids (TSS) for Publicly Owned Treatment Works (POTWs)/municipals. Please see the United States Environmental Protection Agency's (EPA) website for interpretation of percent removal requirements for National Pollutant Discharge Elimination System Permit Application Requirements for Publicly Owned Treatment Works and Other Treatment Works Treating Domestic Sewage @ www.epa.gov/fedrgstr/EPA-WATER/1999/August/Day-04/w18866.htm .

Not Applicable ☒ - Influent monitoring is not being required to determine percent removal.

Sanitary Sewer Overflows (SSOs), Bypasses, Inflow & Infiltration (I&I) – Prevention/Reduction:
Sanitary Sewer Systems (SSSs) are municipal wastewater collection systems that convey domestic, commercial, and industrial wastewater, and limited amounts of infiltrated groundwater and storm water (i.e. I&I), to a POTW. SSSs are not designed to collect large amounts of storm water runoff from precipitation events.

Untreated or partially treated discharges from SSSs are commonly referred to as SSOs. SSOs have a variety of causes including blockages, line breaks, sewer defects that allow excess storm water and ground water to overload the system, lapses in sewer system operation and maintenance, inadequate sewer design and construction, power failures, and vandalism. A SSOs is defined as an untreated or partially treated sewage release from a SSS. SSOs can occur at any point in an SSS, during dry weather or wet weather. SSOs include overflows that reach waters of the state. SSOs also include overflows out of manholes and onto city streets, sidewalks, and other terrestrial locations. SSSs can back up into buildings, including private residences. When sewage backups are caused by problems in the publicly-owned portion of an SSS, they are considered SSOs.

Not Applicable ☒ - This facility is not required to develop or implement a program for maintenance and repair of the collection system; however, it is a violation of Missouri State Environmental Laws and Regulations to allow untreated wastewater to discharge to waters of the state.

SCHEDULE OF COMPLIANCE (SOC):
A schedule of remedial measures included in a permit, including an enforceable sequence of interim requirements (actions, operations, or milestone events) leading to compliance with the Missouri Clean Water Law, its implementing regulations, and/or the terms and conditions of an operating permit.

Not Applicable ☒ - This permit does not contain a SOC.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP):
In accordance with 40 CFR 122.44(k) *Best Management Practices (BMPs)* to control or abate the discharge of pollutants when: (1) Authorized under section 304(e) of the Clean Water Act (CWA) for the control of toxic pollutants and hazardous substances from ancillary industrial activities: (2) Authorized under section 402(p) of the CWA for the control of storm water discharges; (3) Numeric effluent limitations are infeasible; or (4) the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purposes and intent of the CWA.

In accordance with the EPA's *Storm Water Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices* [EPA 832-R-92-006] (Storm Water Management), BMPs are measures or practices used to reduce the amount of pollution entering (regarding this operating permit) waters of the state. BMPs may take the form of a process, activity, or physical structure.

Additionally in accordance with the Storm Water Management, a SWPPP is a series of steps and activities to (1) identify sources of pollution or contamination, and (2) select and carry out actions which prevent or control the pollution of storm water discharges.

Applicable ☒ - A SWPPP shall be developed and implemented for each site and shall incorporate required practices identified by the department with jurisdiction, incorporate erosion control practices specific to site conditions, and provide for maintenance and adherence to the plan.

VARIANCE:
As per the Missouri Clean Water Law § 644.061.4, variances shall be granted for such period of time and under such terms and conditions as shall be specified by the commission in its order. The variance may be extended by affirmative action of the commission. In no event shall the variance be granted for a period of time greater than is reasonably necessary for complying with the Missouri Clean Water Law §§644.006 to 644.141 or any standard, rule or regulation promulgated pursuant to Missouri Clean Water Law §§644.006 to 644.141.

Not Applicable ☒ - This operating permit is not drafted under premises of a petition for variance.

WASTELOAD ALLOCATIONS (WLA) FOR LIMITS:
As per [10 CSR 20-2.010(78)], the amount of pollutant each discharger is allowed by the department to release into a given stream after the department has determined total amount of pollutant that may be discharged into that stream without endangering its water quality.

Not Applicable ☒ - Wasteload allocations were not calculated.

WLA MODELING:
There are two general types of effluent limitations, technology-based effluent limits (TBELs) and water quality based effluent limits (WQBELs). If TBELs do not provide adequate protection for the receiving waters, then WQBEL must be used.

Not Applicable ☒ - A WLA study was either not submitted or determined not applicable by department staff.

WATER QUALITY STANDARDS:
Per [10 CSR 20-7.031(3)], General Criteria shall be applicable to all waters of the state at all times including mixing zones. Additionally, [40 CFR 122.44(d)(1)] directs the department to establish in each NPDES permit to include conditions to achieve water quality established under Section 303 of the Clean Water Act, including State narrative criteria for water quality.

WHOLE EFFLUENT TOXICITY (WET) TEST:
A WET test is a quantifiable method of determining if a discharge from a facility may be causing toxicity to aquatic life by itself, in combination with or through synergistic responses when mixed with receiving stream water.

Not Applicable ☒ - At this time, the permittee is not required to conduct WET test for this facility.

303(d) LIST & TOTAL MAXIMUM DAILY LOAD (TMDL):
Section 303(d) of the federal Clean Water Act requires that each state identify waters that are not meeting water quality standards and for which adequate water pollution controls have not been required. Water quality standards protect such beneficial uses of water as whole body contact (such as swimming), maintaining fish and other aquatic life, and providing drinking water for people, livestock and wildlife. The 303(d) list helps state and federal agencies keep track of waters that are impaired but not addressed by normal water pollution control programs.

A TMDL is a calculation of the maximum amount of a given pollutant that a body of water can absorb before its water quality is affected. If a water body is determined to be impaired as listed on the 303(d) list, then a watershed management plan will be developed that shall include the TMDL calculation

Not Applicable ☒;
This facility does not discharge to a 303(d) listed stream.

Part V – Effluent Limits Determination

EFFLUENT LIMITATIONS TABLE: OUTFALL – ALL OUTFALLS

PARAMETER	UNIT	BASIS FOR LIMITS	DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MODIFIED	PREVIOUS LIMIT
Rainfall	inches	9	*		*	NO	****
Flow	cfs	1	*		*	NO	S
pH	SU	1	***		***	NO	S
5-Day Biochemical Oxygen Demand	mg/L	9	45		30	YES	60/45
Chemical Oxygen Demand	mg/L	9	120		90	NO	S
Total Suspended Solids	mg/L	9	80		60	NO	S
Settleable Solids	ml/L	9	1.5		1.0	NO	S
Oil & Grease	mg/L	1	15		10	YES	S
Ammonia as N (summer)	mg/L	3	3.7		1.4	YES	****
Ammonia as N (winter)	mg/L	3	7.5		2.8	YES	****
Chlorides plus Sulfates	mg/L	2	1000		*	NO	S
Total Hardness as CaCO3	mg/L	2	*		*	NO	S
Iron, TR	µg/L	2	1639		817	YES	****
Aluminum, TR	µg/L	2	*		*	NO	S
Antimony, TR	µg/L	2	*		*	NO	S
Arsenic, TR	µg/L	2	*		*	NO	S
Beryllium	µg/L	2	*		*	NO	S
Cadmium, TR	µg/L	2	*		*	NO	S
Chromium (III), TR	µg/L	2	*		*	NO	S
Chromium (VI), Dissolved	µg/L	2	*		*	NO	S
Mercury, TR	µg/L	2	*		*	YES	****
Selenium, TR	µg/L	2	*		*	YES	****
Silver, TR	µg/L	2	*		*	YES	****
Thallium, TR	µg/L	2	*		*	YES	****
Zinc, TR	µg/L	2	*		*	YES	****
Benzene	µg/L	2	*		*	YES	****
Ethylbenzene	µg/L	2	*		*	YES	****
Monitoring Frequency	Please see Minimum Sampling and Reporting Frequency Requirements in the Derivation and Discussion Section below.						

* Monitoring requirement only.
** For DO the Daily Maximum is a Daily Minimum and the Monthly Average is a Monthly Average Minimum.
*** pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.5 - 9.0 pH units.
**** Limitations not established in previous state operating permit.
S same as in previous permit

Basis for Limitations Codes:

1. State or Federal Regulation/Law
2. Water Quality Standard (includes RPA)
3. Water Quality Based Effluent Limits
4. Lagoon Policy
5. Ammonia Policy
6. Dissolved Oxygen Policy
7. Antidegradation Policy
8. Water Quality Model
9. Best Professional Judgment
10. TMDL or Permit in lieu of TMDL
11. WET Test Policy
12. Antidegradation Review

ALL OUTFALLS – DERIVATION AND DISCUSSION OF LIMITS:

NOTE: EACH PARAMETER IS NOT REQUIRED FOR EACH OUTFALL. (SEE EFFLUENT LIMITATIONS TABLES ABOVE)

- **Rainfall**. A common monitoring parameter necessary to evaluate stormwater runoff.

- **Flow**. In accordance with [40 CFR Part 122.44(i)(1)(ii)] the volume of effluent discharged from each outfall is needed to assure compliance with permitted effluent limitations. If the permittee is unable to obtain effluent flow, then it is the responsibility of the permittee to inform the department, which may require the submittal of an operating permit modification.

- **pH**. Effluent limitations have been retained from previous state operating permit, please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** subsection of the receiving stream information

- **Biochemical Oxygen Demand (BOD_5).** Discharge monitoring reports from the past permit cycle have been reviewed and a reasonable potential analysis (RPA) performed. Data from outfalls #001 and #005 indicate a potential to exceed the 30 mg/L monthly average limit. However, in most cases the actual BOD5 results are quite low indicating that the limits in this permit should be normally attained. Hence it was determined that a 30 mg/L monthly average limit and a 45 mg/L daily maximum limit are achievable and reasonable.

- **Chemical Oxygen Demand (COD)**. An RPA has been conducted for COD using data from the past permit cycle. For all outfalls, there is a potential if not a likelihood that the limits contained herein will be exceeded. However, in order to avoid backsliding the limits from the previous permit cycle were retained. COD is a measure of all oxidizable material that is present in the sample. It is possible that ordinarily refractory (material that is not readily biologically degradable) organic material, such as leaves, may be present and cause the high COD values. If this is the case, high COD values may not correlate to degraded water quality in the receiving stream and the proposed limits will be protective of water quality.

- **Total Suspended Solids (TSS).** An RPA has been conducted for TSS using data from the past permit cycle. For all outfalls, there is a potential if not a likelihood that the limits contained herein will be exceeded. However, in order to avoid backsliding the limits from the previous permit cycle were retained.

- **Settleable Solids (SS)**. Effluent limitations from the previous state operating permit have been reassessed and verified
- that they are still protective of the receiving stream's Water Quality. Therefore, effluent limitations have been retained from previous state operating permit.

- **Oil & Grease**. Conventional pollutant, effluent limitation for protection of aquatic life; 10 mg/L monthly average, 15 mg/L daily maximum

- **Total Ammonia Nitrogen**. Insufficient data from previous permit period for all outfalls except outfall #003 was available to conduct a reasonable potential analysis. Early Life Stages Present Total Ammonia Nitrogen criteria apply [10 CSR 20-7.031(4)(B)7.C. & Table B3] default pH 7.8 SU. No mixing considerations allowed; therefore, WLA = appropriate criterion. (For Ammonia Decay, please use the WQRS version located in the T drive.)

Season	Temp (°C)	pH (SU)	Total Ammonia Nitrogen CCC (mg/L)	Total Ammonia Nitrogen CMC (mg/L)
Summer	26	7.8	1.5	12.1
Winter	6	7.8	3.1	12.1

Summer: May 1 – October 31

LTA_c = 1.5 mg/L (0.780) = 1.2 mg/L [CV = 0.6, 99th Percentile, 30 day avg.]
LTA_a = 12.1 mg/L (0.321) = 3.9 mg/L [CV = 0.6, 99th Percentile]

Use most protective number of LTA_c or LTA_a.

MDL = 1.2 mg/L (3.11) = **3.7 mg/L** [CV = 0.6, 99th Percentile]
AML = 1.2 mg/L (1.19) = **1.4 mg/L** [CV = 0.6, 95th Percentile, n =30]

Winter: November 1 – April 30

LTA_c = 3.1 mg/L (0.780) = 2.4 mg/L [CV = 0.6, 99th Percentile, 30 day avg.]
LTA_a = 12.1 mg/L (0.321) = 3.9 mg/L [CV = 0.6, 99th Percentile]

Use most protective number of LTA_c or LTA_a.

MDL = 2.4 mg/L (3.11) = **7.5 mg/L** [CV = 0.6, 99th Percentile]
AML = 2.4 mg/L (1.19) = **2.8 mg/L** [CV = 0.6, 95th Percentile, n =30]

- **Chlorides Plus Sulfates**. Effluent limitation from 10CSR 20-7.031 (4) (l), please see the **APPLICABLE DESIGNATION OF WATERS OF THE STATE** sub-section of the **Receiving Stream Information.**

- **Total Harness (expressed as CaCO3).** Monitoring is necessary to conduct RPA for metals the next time the permit is reissued.

- **Metals except Iron.** Except for iron, there was not sufficient data was available to conduct an RPA. Therefore, this permit contains a quarterly monitoring requirement only for all metals which are designated for aquatic life protection or human health protection.

- **Iron, Total Recoverable**. Water Quality Standard for the protection of Aquatic Life (AQL) is 1,000 µg/L or 1 mg/L chronic criteria, 10CSR 20-7.031 Table A.

  Chronic = = 1,000 µg/L

  Chronic
  C_e = ((0.0651 + 0.0)1000 – (0.0 * 0.0))/0.0651
  C_e = 1000 µg/L
  WLA_c = 1000 µg/L

  LTA_c = 1000(0.527) = 527 µg/L [CV = 0.6, 99th Percentile].

  MDL = 527(3.11) = **1,639 µg/L** [CV = 0.6, 99th Percentile]
  AML = 527(1.55) = **817 µg/L** [CV = 0.6, 95th Percentile, n = 4]

- **Benzene, Toluene, Ethyl Benzene and Xylene**. Components of petroleum products used as indicators of petroleum spills. In the previous permit, these four parameters were grouped together as "BTEX." An analysis of the available data from the previous permit cycle (including an RPA for benzene) indicates no potential to violate the applicable water quality standard. There is not sufficient data available to make a determination for toluene, ethylbenzene, or xylene. Of these four parameters, only three – benzene, toluene, and ethylbenzene are toxic to aquatic life. The WQS for toluene is 200 mg/L and is not considered to be present. Therefore, only monitoring for benzene and ethylbenzene is being required.

- **Minimum Sampling and Reporting Frequency Requirements**.
  Sampling and reporting frequency requirements have been retained from previous state operating permit. For all parameters other than rainfall, monitoring is to be done once per quarter. The major change is that the sampling is no longer restricted to specific months as was the case in the previously issued permit. The permittee is to collect samples during the first rainfall event in each quarter which produces runoff in measurable quantities. The lack of data to conduct a reasonable potential analysis was due to the way the previous permit was written which instructed the permittee to only collect samples in specific months. When significant rainfall did not occur in those months, the permittee reported "no discharge" for those quarters.

Part VI – Administrative Requirements

On the basis of preliminary staff review and the application of applicable standards and regulations, the Department, as administrative agent for the Missouri Clean Water Commission, proposes to issue a permit(s) subject to certain effluent limitations, schedules, and special conditions contained herein and within the operating permit. The proposed determinations are tentative pending public comment.

PUBLIC NOTICE:
The department shall give public notice that a draft permit has been prepared and is pending. Additionally, public notice will be issued if a public hearing is to be held because of a significant degree of interest in and water quality concerns related to a draft permit. No public notice is required when a request for a permit modification or termination is denied; however, the requester and permittee must be notified of the denial in writing.

The department must issue public notice of a pending operating permit or of a new or reissued statewide general permit. The public comment period is the length of time not less than 30 days following the date of the public notice which interested persons may submit written comments about the proposed permit.

For persons wanting to submit comments regarding this proposed operating permit, then please refer to the Public Notice page located at the front of this draft operating permit. The Public Notice page gives direction on how and where to submit appropriate comments.

DATE OF FACT SHEET: March 1, 2011

COMPLETED BY:

James A. Rhodes, P.E.
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Appendix A – RPA Results

OUTFALL #003

CONSTITUENT	UNITS	CMC*	RWC ACUTE*	CCC*	RWC CHRONIC*	REASONABLE POTENTIAL	# OF SAMPLES**	CV***
BOD_5	mg/L	45	128	30	128	YES	11	0.8
COD	mg/L	120	468	90	468	YES	13	0.9
TSS	mg/L	80	2,381	60	2,381	YES	11	1.5
SS	ml/L	1.5	1,722	1.0	1,722	YES	16	2.2
Ammonia as N	mg/L	3.7	135	1.4	135	YES	2	0.6
Chloride plus Sulfates	mg/L	1000	469	1000	469	NO	13	0.5
Iron	mg/L	1.0	1505	1.0	1505	YES	11	1.26

OUTFALL #004

CONSTITUENT	UNITS	CMC*	RWC ACUTE*	CCC*	RWC CHRONIC*	REASONABLE POTENTIAL	# OF SAMPLES**	CV***
BOD_5	mg/L	45	30.2	30	30.2	NO	3	0.6
COD	mg/L	120	274	90	274	YES	2	0.6
TSS	mg/L	80	157	60	157	YES	3	0.6
SS	ml/L	1.5	3.7	1.0	3.7	YES	2	0.6
Ammonia as N	mg/L	3.7	N D	1.4	ND	Insufficient Data	0	
Chloride plus Sulfates	mg/L	1000	313	1000	313	NO	3	0.6
Iron	mg/L	1.0	4.2	1.0	4.2	YES	3	0.6

OUTFALL #005

CONSTITUENT	UNITS	CMC*	RWC ACUTE*	CCC*	RWC CHRONIC*	REASONABLE POTENTIAL	# OF SAMPLES**	CV***
BOD_5	mg/L	45	21.8	30	21.8	NO	9	0.64
COD	mg/L	120	398	90	398	YES	10	1.24
TSS	mg/L	80	62,300	60	62,300	YES	10	2.07
SS	ml/L	1.5	806	1.0	806	YES	9	0.6
Ammonia as N	mg/L	3.7	No Data	1.4	No Data	Insufficient Data	0	
Chloride plus Sulfates	mg/L	1000	1365	1000	1365	YES	11	1.1
Iron	mg/L	1.0	4.1	1.0	4.1	YES	10	1.8

OUTFALL #006

CONSTITUENT	UNITS	CMC*	RWC ACUTE*	CCC*	RWC CHRONIC*	REASONABLE POTENTIAL	# OF SAMPLES**	CV***
BOD_5	mg/L	45	71.4	30	71.4	YES	5	0.7
COD	mg/L	120	1699	90	1699	YES	6	0.6
TSS	mg/L	80	1827	60	1827	YES	6	1.5
SS	ml/L	1.5	---	1.0	---	Insufficient Data		
Ammonia as N	mg/L	3.7	No Data	1.4	No Data	Insufficient Data	0	
Chloride plus Sulfates	mg/L	1000	289	1000	289	NO	6	0.8
Iron	mg/L	1.0	41	1.0	41	YES	6	0.7

OUTFALL #007 (RELOCATED OUTFALL #001)

CONSTITUENT	UNITS	CMC*	RWC ACUTE*	CCC*	RWC CHRONIC*	REASONABLE POTENTIAL	# OF SAMPLES**	CV***
BOD_5	mg/L	45	19.5	30	19.5	NO	8	0.6
COD	mg/L	120	414	90	414	YES	8	0.8
TSS	mg/L	80	6873	60	6873	YES	8	2.1
SS	ml/L	1.5	11.2	1.0	11.2	YES	11	1.1
Ammonia as N	mg/L	3.7	0.3	1.4	0.3	NO	3	0.6
Chloride plus Sulfates	mg/L	1000	1718	1000	1718	YES	11	1.1
Iron	mg/L	1.0	137	1.0	137	YES	6	1.8

N/A – Not Applicable
ND - No (or insufficient) data
* - Units are (µg/L) unless otherwise noted.
** - If the number of samples is greater than 10, then the CV value must be used in the WQBEL for the applicable constituent.
*** - Coefficient of Variation (CV) is calculated by dividing the Standard Deviation of the sample set by the Mean of the same sample set.
BPJ = best professional judgement
Reasonable Potential Analysis is conducted as per (TSD, EPA/505/2-90-001, Section 3.3.2).

STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
NOVEMBER 1, 2013

These Standard Conditions incorporate permit conditions as required by 40 CFR 122.41 or other applicable state statutes or regulations. These minimum conditions apply unless superseded by requirements specified in the permit.

Part I – General Conditions

Section A – Sampling, Monitoring, and Recording

1. **Sampling Requirements.**
   a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
   b. All samples shall be taken at the outfall(s) or Missouri Department of Natural Resources (Department) approved sampling location(s), and unless specified, before the effluent joins or is diluted by any other body of water or substance.

2. **Monitoring Requirements**.
   a. Records of monitoring information shall include:
      i. The date, exact place, and time of sampling or measurements;
      ii. The individual(s) who performed the sampling or measurements;
      iii. The date(s) analyses were performed;
      iv. The individual(s) who performed the analyses;
      v. The analytical techniques or methods used; and
      vi. The results of such analyses.
   b. If the permittee monitors any pollutant more frequently than required by the permit at the location specified in the permit using test procedures approved under 40 CFR Part 136, or another method required for an industry-specific waste stream under 40 CFR subchapters N or O, the results of such monitoring shall be included in the calculation and reported to the Department with the discharge monitoring report data (DMR) submitted to the Department pursuant to Section B, paragraph 7.

3. **Sample and Monitoring Calculations.** Calculations for all sample and monitoring results which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in the permit.

4. **Test Procedures**. The analytical and sampling methods used shall conform to the reference methods listed in 10 CSR 20-7.015 unless alternates are approved by the Department. The facility shall use sufficiently sensitive analytical methods for detecting, identifying, and measuring the concentrations of pollutants. The facility shall ensure that the selected methods are able to quantify the presence of pollutants in a given discharge at concentrations that are low enough to determine compliance with Water Quality Standards in 10 CSR 20-7.031 or effluent limitations unless provisions in the permit allow for other alternatives. A method is "sufficiently sensitive" when; 1) the method minimum level is at or below the level of the applicable water quality criterion for the pollutant or, 2) the method minimum level is above the applicable water quality criterion, but the amount of pollutant in a facility's discharge is high enough that the method detects and quantifies the level of pollutant in the discharge, or 3) the method has the lowest minimum level of the analytical methods approved under 10 CSR 20-7.015. These methods are also required for parameters that are listed as monitoring only, as the data collected may be used to determine if limitations need to be established. A permittee is responsible for working with their contractors to ensure that the analysis performed is sufficiently sensitive.

5. **Record Retention.** Except for records of monitoring information required by the permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five (5) years (or longer as required by 40 CFR part 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time.

6. **Illegal Activities.**
   a. The Federal Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under the permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two (2) years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or both.
   b. The Missouri Clean Water Law provides that any person or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than six (6) months, or by both. Second and successive convictions for violation under this paragraph by any person shall be punished by a fine of not more than $50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.

Section B – Reporting Requirements

1. **Planned Changes.**
   a. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility when:
      i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
      ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR 122.42(a)(1);
      iii. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;
      iv. Any facility expansions, production increases, or process modifications which will result in a new or substantially different discharge or sludge characteristics must be reported to the Department 60 days before the facility or process modification begins. Notification may be accomplished by application for a new permit. If the discharge does not violate effluent limitations specified in the permit, the facility is to submit a notice to the Department of the changed discharge at least 30 days before such changes. The Department may require a construction permit and/or permit modification as a result of the proposed changes at the facility.

2. **Twenty-Four Hour Reporting.**
   a. The permittee shall report any noncompliance which may endanger health or the environment. Relevant information shall be provided orally or via the current electronic method approved by the Department, within 24 hours from the time the permittee becomes aware of the circumstances, and shall be reported to the appropriate Regional Office during normal business hours or the Environmental Emergency Response hotline at 573-634-2436 outside of normal business hours. A written submission shall also be provided within five (5) business days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

b. The following shall be included as information which must be reported within 24 hours under this paragraph.
   i. Any unanticipated bypass which exceeds any effluent limitation in the permit.
   ii. Any upset which exceeds any effluent limitation in the permit.
   iii. Violation of a maximum daily discharge limitation for any of the pollutants listed by the Department in the permit required to be reported within 24 hours.

c. The Department may waive the written report on a case-by-case basis for reports under paragraph 2. b. of this section if the oral report has been received within 24 hours.

3. **Sanitary Sewer Overflow Reporting.** The following requirements solely reflect reporting obligations, and reporting does not necessarily reflect noncompliance, which may depend on the circumstances of the incident reported.
   a. Twenty-Four Hour (24-Hour) Reporting. The permittee or owner shall report any incident in which wastewater escapes the collection system such that it reaches waters of the state or it may pose an imminent or substantial endangerment to the health or welfare of persons. Relevant information shall be provided orally or via the current electronic method approved by the Department within 24 hours from the time the permittee becomes aware of the incident. A written submission shall also be provided within five (5) business days of the time the permittee or owner becomes aware of the incident. The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The five (5) day reports may be provided via the current electronic method approved by the Department.
   b. Incidents Reported via Discharge Monitoring Reports (DMRs). The permittee or owner shall report any event in which wastewater escapes the collection system, which does not enter waters of the state and is not expected to pose an imminent or substantial endangerment to the health or welfare of persons, which occur typically during wet weather events. Relevant information shall be provided with the permittee's or owner's DMRs.

4. **Anticipated Noncompliance**. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The notice shall be submitted to the Department 60 days prior to such changes or activity.

5. **Compliance Schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date. The report shall provide an explanation for the instance of noncompliance and a proposed schedule or anticipated date, for achieving compliance with the compliance schedule requirement.

6. **Other Noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs 2, 3, 4, and 7 of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph 2. a. of this section.

7. **Other Information**. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or information.

8. **Discharge Monitoring Reports.**
   a. Monitoring results shall be reported at the intervals specified in the permit.
   b. Monitoring results must be reported to the Department via the current method approved by the Department, unless the permittee has been granted a waiver from using the method. If the permittee has been granted a waiver, the permittee must use forms provided by the Department.
   c. Monitoring results shall be reported to the Department no later than the 28th day of the month following the end of the reporting period.

Section C – Bypass/Upset Requirements

1. **Definitions.**
   a. *Bypass*: the intentional diversion of waste streams from any portion of a treatment facility.
   b. *Severe Property Damage*: substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
   c. *Upset*: an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

2. **Bypass Requirements.**
   a. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 2. b. and 2. c. of this section.
   b. Notice.
      i. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass.
      ii. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section B – Reporting Requirements, paragraph 5 (24-hour notice).
   c. Prohibition of bypass.
      i. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless:
         1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
         2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
         3. The permittee submitted notices as required under paragraph 2. b. of this section.
      ii. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three (3) conditions listed above in paragraph 2. c. i. of this section.

3. **Upset Requirements.**
   a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph 3. b. of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
   b. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
      i. An upset occurred and that the permittee can identify the cause(s) of the upset;
      ii. The permitted facility was at the time being properly operated; and
      iii. The permittee submitted notice of the upset as required in Section B – Reporting Requirements, paragraph 2. b. ii. (24-hour notice).
      iv. The permittee complied with any remedial measures required under Section D – Administrative Requirements, paragraph 4.
   c. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

STANDARD CONDITIONS FOR NPDES PERMITS
ISSUED BY
THE MISSOURI DEPARTMENT OF NATURAL RESOURCES
MISSOURI CLEAN WATER COMMISSION
REVISED
NOVEMBER 1, 2013

Section D – Administrative Requirements

1. **Duty to Comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Missouri Clean Water Law and Federal Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.
   a. The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.
   b. The Federal Clean Water Act provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $25,000 per day for each violation. The Federal Clean Water Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.
   c. Any person may be assessed an administrative penalty by the EPA Director for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed $10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed $25,000. Penalties for Class II violations are not to exceed $10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed $125,000.
   d. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141 of the Missouri Clean Water Law, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 of the Missouri Clean Water Law or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 of the Missouri Clean Water Law or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed $10,000 per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. Any person who willfully or negligently commits any violation in this paragraph shall, upon conviction, be punished by a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this paragraph by any person shall be punished by a fine of not more than $50,000 per day of violation, or by imprisonment for not more than two (2) years, or both.

2. **Duty to Reapply.**
   a. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.
   b. A permittee with a currently effective site-specific permit shall submit an application for renewal at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Department. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)
   c. A permittees with currently effective general permit shall submit an application for renewal at least 30 days before the existing permit expires, unless the permittee has been notified by the Department that an earlier application must be made. The Department may grant permission for a later submission date. (The Department shall not grant permission for applications to be submitted later than the expiration date of the existing permit.)

3. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

4. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

5. **Proper Operation and Maintenance**. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

6. **Permit Actions.**
   a. Subject to compliance with statutory requirements of the Law and Regulations and applicable Court Order, this permit may be modified, suspended, or revoked in whole or in part during its term for cause including, but not limited to, the following:
      i. Violations of any terms or conditions of this permit or the law;
      ii. Having obtained this permit by misrepresentation or failure to disclose fully any relevant facts;
      iii. A change in any circumstances or conditions that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
      iv. Any reason set forth in the Law or Regulations.
   b. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. **Permit Transfer.**
   a. Subject to 10 CSR 20-6.010, an operating permit may be transferred upon submission to the Department of an application to transfer signed by the existing owner and the new owner, unless prohibited by the terms of the permit. Until such time the permit is officially transferred, the original permittee remains responsible for complying with the terms and conditions of the existing permit.
   b. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Missouri Clean Water Law or the Federal Clean Water Act.
   c. The Department, within 30 days of receipt of the application, shall notify the new permittee of its intent to revoke or reissue or transfer the permit.

8. **Toxic Pollutants.** The permittee shall comply with effluent standards or prohibitions established under section 307(a) of the Federal Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the Federal Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

9. **Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.

10. **Duty to Provide Information.** The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

11. **Inspection and Entry.** The permittee shall allow the Department, or an authorized representative (including an authorized contractor acting as a representative of the Department), upon presentation of credentials and other documents as may be required by law, to:
   a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
   c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
   d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Federal Clean Water Act or Missouri Clean Water Law, any substances or parameters at any location.

12. **Closure of Treatment Facilities.**
   a. Persons who cease operation or plan to cease operation of waste, wastewater, and sludge handling and treatment facilities shall close the facilities in accordance with a closure plan approved by the Department.
   b. Operating Permits under 10 CSR 20-6.010 or under 10 CSR 20-6.015 are required until all waste, wastewater, and sludges have been disposed of in accordance with the closure plan approved by the Department and any disturbed areas have been properly stabilized. Disturbed areas will be considered stabilized when perennial vegetation, pavement, or structures using permanent materials cover all areas that have been disturbed. Vegetative cover, if used, shall be at least 70% plant density over 100% of the disturbed area.

13. **Signatory Requirement.**
   a. All permit applications, reports required by the permit, or information requested by the Department shall be signed and certified. (See 40 CFR 122.22 and 10 CSR 20-6.010)
   b. The Federal Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than six (6) months per violation, or by both.
   c. The Missouri Clean Water Law provides that any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.

14. **Severability.** The provisions of the permit are severable, and if any provision of the permit, or the application of any provision of the permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.